

California Regional Water Quality Control Board  
North Coast Region

Order No. 97-90  
I.D. No. 1A77002ODN

Waste Discharge Requirements  
and  
Recision of Cease and Desist Order No. 94-137

For

Del Norte Solid Waste Management Authority  
and the  
County of Del Norte

Crescent City Solid Waste Disposal Site  
Class III Waste Management Unit

Del Norte County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds that:

1. On September 21, 1994, the City of Crescent City and the County of Del Norte formed a joint powers agency entitled the Del Norte Solid Waste Management Authority (the Authority). The County of Del Norte and the Authority are hereafter referred to as the discharger. The Authority is responsible for all solid waste-related activities within Del Norte County including operation of the Crescent City Solid Waste Disposal Site. The landfill site (APN No's 110-020-08 and 110-020-43), which is owned by the County of Del Norte is located off Old Mill Road approximately two miles north of Crescent City, California in the East  $\frac{1}{2}$  of Section 7, T16N, R1W, HB&M. The County of Del Norte has exchanged 17.68 acres of land on the east side of the landfill (two parts of 110-020-08) for 16.36 acres of property on the west side of the landfill (a portion of 110-020-69). The purpose of the exchange is to align the property boundaries so that the landfill footprint and associated closure activities do not occur on State Park lands.
2. The joint powers agreement provides that 180 days after written notice either party may withdraw from the agreement. It also provides that the Authority may be dissolved by agreement of the City and County. In the event the Authority is dissolved, the County of Del Norte will be responsible for the terms of this Order.
3. The landfill began operations in the mid 1950s as a burn dump. Land-filling of waste began about 1972. The County of Del Norte maintained ownership and responsibility for operations of the landfill from its inception until formation of the Authority. The site is adjacent to State Park property and consists of two parcels totaling 160 acres. Approximately 22 acres have been used for sanitary landfill purposes. The site receives about 50 tons per day of municipal solid waste from commercial haulers and from the general public. The site also receives non-hazardous, digested and de-watered sludge from the City of Crescent City municipal waste water treatment plant.
4. The Regional Water Board adopted Order No. 94-135, Waste Discharge Requirements for the Crescent City Landfill on December 8, 1994. The Order contained two date-specific prohibitions and a requirement that the disposal of solid waste to the landfill cease when final contours (as presented in the Final Closure and Post-closure

Maintenance Plan, dated September 1994, by Brown, Vence and Associates) were reached. (The closure plan as finally approved is now dated November 1995). The date-specific prohibitions required the discharge of whey from a local cheese processor and the discharge of septage and portable-toilet waste to cease by June 1, 1996. Compliance with the June 1, 1996 prohibitions was achieved as required by the order.

Provision 1 of the order contained a time schedule of tasks leading to the closure of the landfill at the "Earliest Practical Date". The tasks have been completed as required and the closure process will begin within 60 days of the landfill reaching its final contours as described in the Final Closure and Post-closure Maintenance Plan, November 1995; Brown, Vence and Associates.

5. On December 8, 1994 the Regional Water Board adopted Cease and Desist Order No. 94-137 requiring the Del Norte Solid Waste Management Authority and the County of Del Norte to complete the tasks described in Finding 4 above and develop and implement a monitoring program meeting the terms of Section 10 of Order No. 93-83, General Waste Discharge Requirements for Municipal Solid Waste Landfills. The terms of Cease and Desist Order No. 94-137 have been fully attained.
6. Federal Solid waste regulations which were incorporated into Order No. 93-83, General Waste Discharge Requirements Implementing Provisions of the Federal Landfill Regulations, require all owners/operators of municipal landfills to submit the following information in accordance with a prescribed time schedule:
  - a. Review of existing siting criteria,
  - b. Landfill closure specifications,
  - c. Preparation of a revised monitoring program,
  - d. Document the existing landfill footprint,
  - e. Establish a financial mechanism for closure and remedial action.

The discharger has complied with General Order No. 93-83 Provisions a through e listed above.

7. In 1996, the discharger completed the first phase of closure work which resulted in a permanent cover on 46 percent of the surface of the landfill. Final closure is planned after reaching the final refuse contours on the remainder of the landfill as described in the November 1995 Closure Plan.
8. The landfill is not located near a known Holocene fault, and no evidence of a surface fault rupture or displaced strata was observed within 3000 feet of the site.
9. The landfill is not located within a 100-year flood-plain. Land within 1000 feet of the site is used for rural residential purposes and State park open space for recreation and wildlife habitat.
10. Surface runoff in the vicinity of the site occurs as rainfall runoff and surface discharges of infiltrated rainfall from sand dunes into inter-dune depressions. Overflow from the North Pond enters a marsh and wetland along the south and east side of the site. Surface water ultimately discharges to Lake Earl to the north of the site.

11. Pursuant to Title 27, Division 2, Subdivision 1, Section 20380 of the California Code of Regulations, the Authority has set up an enterprise fund account to assure final closure of the landfill and for corrective actions for all known or reasonably foreseeable releases from the landfill.
12. The Water Quality Control Plan for the North Coast Region includes water quality objectives for point and non-point source discharges and statewide plans and policies.
13. The beneficial uses of ground water in the vicinity of the landfill include:
  - a. domestic and agricultural water supply
  - b. surface water recharge
14. The beneficial uses of Lake Earl and its tributaries include:
  - a. water contact recreation
  - b. non-contact water recreation
  - c. warm freshwater habitat
  - d. wildlife habitat
  - e. saline water habitat
  - f. fish migration
15. This facility is exempt from provisions of the California Environmental Quality Act because of its status as a Class I existing facility. The Regional Water Board finds that this facility will not cause adverse water quality related impacts if conducted in conformance with this Order.
16. The Regional Water Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations.
17. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

**THEREFORE, IT IS HEREBY ORDERED** that Waste Discharge Requirements Order No. 94-135 and Cease and Desist Order No. 94-137 are rescinded and General Order No. 93-83 is amended to delete the County of Del Norte, Crescent City Solid Waste Disposal Site, Class III Waste Management Unit. It is further ordered that the discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

#### **A. DISCHARGE PROHIBITIONS**

1. The discharge of any waste not specifically regulated by this Order is prohibited.
2. The treatment, storage or disposal of wastes including leachate, shall not cause a pollution, contamination, or nuisance, as defined by Section 13050 of the California Water Code (CWC). [Health and Safety Code, Section 5411]

For purposes of this Order, pollution of groundwater is defined as any Constituent of Concern exceeding its respective concentration limit at the point of compliance.

3. The discharge of hazardous wastes and designated wastes as defined in Title 23, Division 3, Chapter 15, section 2531 and Title 27, Division 2, Subdivision 1, Section 20210 is prohibited except as follows:
  - a. Leachate generated and collected at the site is defined as a designated waste and shall be managed at the site in conformance with specifications contained in this Order.
  - b. Wastes containing greater than one percent friable asbestos are defined as hazardous wastes in Title 22 of the California Code of Regulations. However, because these wastes do not pose a threat to groundwater quality, they may be discharged at this site if handled in conformance with Section 25143.7 of the California Health and Safety Code.
4. The discharge of liquid wastes or semi-solid wastes (wastes containing less than 50 percent solids) into disposal cells, except de-watered sewage or water treatment solids as provided in section 20220 of Title 27, is prohibited.
5. The discharge of municipal wastes outside of the existing waste footprint, as shown in the Final Closure and Post-closure Maintenance Plan, is prohibited.
6. The discharge of wastes, including leachate, to surface waters, or surface water drainage systems is prohibited.
7. The discharge of waste within five feet of the highest anticipated elevation of the groundwater surface is prohibited.
8. The discharge of waste to land which is not controlled by the discharger is prohibited.
9. The discharge of solid wastes into ponded water is prohibited.
10. Ponding of liquid wastes, over solid waste disposal cells including rainfall runoff and leachate is prohibited.
11. The disposal of solid waste to the landfill shall cease when the landfill reaches final contours presented in the Final Closure and Post-closure Maintenance Plan (FCPMP) dated November 1995. Final Closure shall occur in accordance with the FCPMP.

## **B. RECEIVING WATER LIMITATIONS**

1. The waste discharge must not cause the dissolved oxygen concentration of the receiving waters to be depressed below 7.0 mg/l. In the event that the receiving waters are determined to have dissolved oxygen concentration of less than 7.0 mg/l, the discharge shall not depress the dissolved oxygen concentration below the existing level.

2. The discharge must not cause the pH of the receiving waters to be depressed below 6.5 nor raised above 8.5. Within this range, the discharge shall not cause the pH of the receiving waters to be changed at any time more than 0.5 units from that which occurs naturally.
3. The discharge must not cause the turbidity of the receiving waters to be increased more than 20 percent above naturally occurring background levels.
4. The discharge must not cause the receiving waters to contain floating materials, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.
5. The discharge must not cause the receiving waters to contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, that cause nuisance, or that adversely affect beneficial uses.
6. The discharge of waste must not cause esthetically undesirable discoloration of the receiving waters.
7. The discharge must not cause bottom deposits in the receiving waters to the extent that such deposits cause nuisance or adversely affect beneficial uses.
8. The discharge must not contain concentrations of biostimulants which promote objectionable aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses of the receiving waters.
9. The discharge must not cause the receiving waters to contain toxic substances in concentrations that are toxic to, degrade, or that produce detrimental physiological responses in humans or animals or cause acute or chronic toxicity in plants or aquatic life.
10. The discharge must not cause a measurable temperature change in the receiving waters.
11. The discharge must not cause the receiving waters to contain oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water that cause nuisance or that otherwise adversely affect beneficial uses.
12. This discharge must not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Water Board or the State Water Board as required by the Federal Water Pollution Control Act, and regulations adopted thereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Federal Water Pollution Control Act, or amendments thereto, the Regional Water Board will revise and modify this Order in accordance with such more stringent standards.
13. The discharge must not cause concentrations of contaminants to occur at levels which are harmful to human health in waters which are existing or potential sources of drinking water.

14. The discharge must not cause concentrations of toxic pollutants in the water column, sediments, or biota that adversely affect beneficial uses.
15. The discharge must not cause acute or chronic toxicity in the receiving waters.

#### **C. COMPLIANCE SCHEDULE**

1. The Discharger shall cease the discharge of waste to the Crescent City Landfill as described in Prohibition No. 11 above.

#### **D. DISCHARGE SPECIFICATIONS**

1. Leachate removed from the landfill shall be discharged into above-ground, structurally sound storage tanks. Storage tanks shall have a berm or other revetment of adequate size and integrity to contain the largest potential accidental discharge of leachate.
2. Leachate removed from the landfill shall not be discharged into the landfill or below ground surface. Leachate may be spray irrigated on inactive disposal cells or for dust control on roads during summer months. Spray irrigation shall be in a manner that will promote evaporation and will not result in saturated soil conditions, ponding or surface runoff. Leachate spray irrigation systems and disposal areas shall be approved by the Executive Officer. Leachate shall be discharged off-site during winter months in a manner approved by the Executive Officer.
3. Wastes discharged at this site shall be provided with daily cover material designed and constructed to minimize percolation of precipitation through wastes. Daily cover shall consist of clean on-site earthen material compacted to a minimum thickness of six inches and graded to drain away from the active face. Alternative covers may be used upon approval of the Executive Officer. Only the active face of the disposal cell shall be left exposed to rainfall. The active face shall not be excessively large for daily waste placement. Inactive areas are those areas that will not be used for waste disposal within the next thirty day period. During the winter period (October 1 through April 30) all inactive areas shall be provided with intermediate cover material compacted to a minimum thickness of twelve inches and graded to drain.
4. Surface drainage from tributary areas and internal site drainage from surface or subsurface sources shall not contact or percolate through wastes discharged at this site. Drainage ditches shall be located, to the maximum extent possible, such that they do not cross over landfill areas. Site drainage over landfill areas shall be contained in drainage conveyance structures such as corrugated metal pipe or in drainage ditches which are lined with at least one foot of compacted soil having an in-place permeability of  $10^{-6}$  cm/sec or less.
5. Annually, prior to October 1, the authority shall comply with the Storm Water Management and Erosion Control Plan for the landfill which was prepared by James A. Wyse, Inc. in March of 1996.
6. Waste disposal cells shall be designed and constructed to progress in an orderly and timely manner toward final landfill contours.

7. The discharger shall install a sufficient number of permanent surveyed monuments on and near the landfill from which the elevations of the cover can be determined. Such monuments shall be installed by a licensed land surveyor or registered civil engineer.
8. All wastes that are windblown, carried in surface runoff or otherwise removed from the active area shall be collected regularly and discharged back into the active area.

#### **E. CONSTRUCTION SPECIFICATIONS**

1. Precipitation and drainage control systems shall be designed and constructed to limit, to the greatest extent possible, ponding, infiltration, inundation, erosion, slope failure, washout, and over-topping from precipitation conditions of a 100-year, 24-hour storm event.
2. All containment structures and erosion and drainage control systems shall be designed and constructed under the direct supervision of a California registered civil engineer or certified engineering geologist and shall be certified by that individual as meeting the prescriptive standards and performance goals of Title 27.
3. Material used to construct liners and caps shall have appropriate physical and chemical properties to ensure containment of wastes over the operation life, closure and post-closure maintenance period of the landfill.
4. Liners and caps (used in final covers) shall have a minimum slope of three percent. In-place permeability's of liners and caps shall be determined in the field and in the laboratory using techniques approved by the Executive Officer. Construction methods and quality assurance procedures shall be sufficient to ensure that all parts of the liners and caps meet the permeability and compaction requirements.
5. Vegetation shall be established immediately upon final closure of a disposal cell. Vegetation shall be selected to require a minimum of irrigation and maintenance and shall have a rooting depth not in excess of the vegetative soil layer thickness.
6. Installation of the final cover shall be under the direct supervision of a California registered civil engineer or certified engineering geologist.
7. Landfill gas venting and removal systems shall be designed such that they do not allow leachate to flow out of a disposal cell through the liner or cap.
8. Construction quality assurance reports and as-built drawings shall be submitted to the Regional Water Board within 120 days of installation.

#### **E. PROVISIONS**

1. Availability

A copy of this Order shall be maintained at the discharge facility and be available at all times to operating personnel.

2. Severability

Provisions of these waste discharge requirements are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected.

3. Operation and Maintenance

The discharger must maintain in good working order and operate as efficiently as possible any facility or control system installed by the discharger to achieve compliance with the waste discharge requirements.

4. Change in Discharge

The discharger must promptly report to the Regional Water Board any material change in the character, location, or volume of the discharge.

5. Vested Rights

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the discharger from his liability under federal, State, or local laws, nor create a vested right for the discharger to continue the waste discharge.

6. Monitoring

The discharger must comply with the Contingency Planning and Notification Requirements Order No. 74-151 and the Monitoring and Reporting Program No. 97-90 and any modifications to these documents as specified by the Executive Officer. Such documents are attached to this Order and incorporated herein. Chemical, bacteriological, and bioassay analyses must be conducted at a laboratory certified for such analyses by the State Department of Health Services.

7. Unknown Release

If the discharger determines that a previously unknown physical release from the waste management unit as defined in Section 2550.1(a)(3), Chapter 15, has occurred, the discharger shall:

- a. Immediately notify the Regional Water Board verbally and take all necessary corrective actions. Written notification should be provided within 7 days of occurrence.
- b. Within 90 days institute an evaluation monitoring program, in accordance with Section 20420 and Section 20425, Title 27.



**8. Statistical Evidence**

Upon initial determination that there is statistical evidence of a previously unknown release from a waste management unit, the discharger shall:

- a. Immediately notify Regional Water Board staff verbally of the finding and provide written notification by certified mail within 7 days.
- b. Immediately initiate the verification monitoring to verify that there is a statistically significant release. Results of the verification procedure and initial statistical test shall be reported to the Regional Water Board by certified mail within 7 days of the last laboratory analysis.

**9. Confirmed Previously Unknown Release**

If the verification procedure confirms there is statistically significant evidence of a previously unknown release from the waste management unit, the discharger shall:

- a. Within 30 days sample all monitoring points in the affected medium and determine the concentration of all constituents of concern.
- b. Within 90 days submit a revised report of waste discharge proposing an evaluation program meeting the provisions of Section 20425, Title 27.
- c. Within 180 days of verifying statistically significant evidence of a release from a waste management unit, submit an engineering feasibility study for a corrective action program. The corrective action program shall meet requirements of Section 20430, Title 27, at a minimum.

**10. Verified Previously Unknown Release**

If the discharger verifies that there has been a statistically significant release from a waste management unit, the discharger may demonstrate that a source other than the waste management unit caused the evidence of a release or that the evidence is an artifact caused by an error in sampling, analysis, or the data analysis protocol. The discharger may make a demonstration in addition to or in lieu of submitting an amended report of waste discharge and an engineering feasibility study pursuant to Provision E.10. above. The discharger is not relieved of the requirements of Provision E.9. above unless the demonstration report is accepted by the Executive Officer. In making a demonstration, the discharger shall:

- a. Within 7 days of verifying evidence of a release, submit a report to the Regional Water Board by certified mail that the discharger intends to make a demonstration pursuant to Section 20420, Title 27.

- b. Within 90 days of verifying evidence of a release, submit a report to the Regional Water Board that demonstrates that a source other than the waste management unit caused the apparent release.
- c. Within 90 days of verifying evidence of a release, submit an amended report of waste discharge to make any appropriate changes to the detection monitoring program.

11. Changes in Ownership

The discharger shall notify the Regional Water Board in writing of any proposed change in ownership or responsibility for closure or post closure maintenance of the landfill. This notification shall be given prior to the effective date of the change and shall include a statement by the new discharger remaining closure and post closure maintenance activities will be in compliance with any existing waste discharge requirements and any revisions thereof. The Regional Water Board shall amend the waste discharge requirements to name the new discharger.

12. Inspections

The discharger shall permit authorized staff of the Regional Water Board:

- a. entry upon premises in which an effluent source is located or in which any required records are kept;
- b. access to copy any records required to be kept under terms and conditions of this Order;
- c. inspection of monitoring equipment or records; and
- d. sampling of any discharge.

13. Noncompliance

In the event the discharger is unable to comply with any of the conditions of this Order due to:

- a. equipment failure;
- b. accidents caused by human error or negligence; or
- c. flooding;
- d. slope failure;
- e. changes in site conditions;
- f. other causes such as acts of nature;

the discharger must notify the Executive Officer by telephone as soon as he or his agents have knowledge of the incident and confirm this notification in writing within two weeks of the telephone notification. The written notification shall include pertinent information explaining reasons for the noncompliance and shall indicate the steps taken to correct the problem and the dates thereof, and the steps being taken to prevent the problem from recurring.

14. Revision of Requirements

The Regional Water Board will review this Order periodically and may revise requirements when necessary.

**15. Signatory Requirements**

All permit applications, reports, or information submitted to the Regional Water Board, or the State Water Board shall be signed by either a principal executive officer or ranking elected official.

**16. Proper Operation and Maintenance**

The discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the discharger to achieve compliance with this Order. Proper operation and maintenance includes adequate laboratory control and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a discharger only when necessary to achieve compliance with the conditions of this Order.

**17. Remove and Relocate**

The discharger shall remove and relocate any wastes discharged at this site in violation of this Order.

**18. Change of Ownership**

The discharger shall notify the Regional Water Board in writing of any proposed change of ownership or responsibility for construction, operation, closure or post-closure maintenance of the landfill. This notification shall be given prior to the effective date of the change and shall include a statement by the new discharger that construction, operation, closure, and post-closure maintenance will be in compliance with any existing waste discharge requirements and any revisions thereof. The Regional Water Board shall amend the existing Order to name the new discharger.

**19. Change of Information**

The discharger shall notify the Regional Water Board of changes in information submitted regarding the landfill, including any material change in the types, quantities, concentrations, or locations of wastes discharged; site operations and features; or proposed closure procedures, including changes in cost estimates. The discharger shall notify the Regional Water Board a reasonable amount of time before the changes are made or become effective. No changes shall be made without the approval of the Executive Officer.

**20. Title 23 and 27 Compliance**

The discharger shall comply with all solid waste requirements contained in Title 27, Division 2, Subdivision 1, and Title 23, Division 3, Chapter 15 not specifically referred to in this order.

**21. Continued Responsibility**

The Regional Water Board considers the property owner to have a continuing responsibility for correcting any problems which may arise in the future as a result of this waste discharge or water applied to this property during subsequent uses of the land for other purposes.

22. Monitoring Wells

The Discharger shall comply with all notice and reporting requirements of the State Department of Water Resources and the Del Norte County Health Department in the conduct of the construction, distruction, or abandonment of all monitoring wells used for compliance with this Order and with Monitoring and Reporting Program No. 97-90 as required by Section 13750 through 13755 of the California Water Code.

23. Termination

After notice and opportunity for hearing, this Order may be terminated or modified for cause, including but not limited to:

- a. Violation of any term or condition of this Order;
- b. Obtaining this Order by misrepresentation, or failure to disclose fully all relevant facts;

24. Financial Assurance

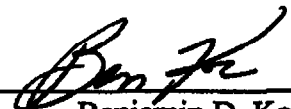
The discharger shall submit evidence as part of the required annual report that adequate financial assurance for corrective action and closure and post closure maintenance is still in effect and that the amount is adequate

25. Closure Plan

The discharger shall submit annually as part of the required annual report that the post closure maintenance plan is still adequate and in conformance with existing regulations.

Certification

I, Benjamin D. Kor, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on September 25, 1997.



Benjamin D. Kor  
Executive Officer